IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

WP(C).No. 13003 of 2004(W)

PETITIONER:

C.LALITHAMMA,
W/O.LATE PAVITHRAN,
KALAYITHAZHE, CHANNANIKKADU.P.O.,
PARUTHAMPARA.

BY ADV. SRI.A.K.ABDUL AZEEZ.

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, TRANSPORT DEPARTMENT, SECRETARIATE, TRIVANDRUM.**
2. **THE REGIONAL TRANSPORT OFFICER, TAXATION OFFICER, KOTTAYAM.**
3. **THE TAHSILDAR (RR), KOTTAYAM TALUK, KOTTAYAM.**
4. **P.A.NOUSHAD, ' PUTHUPARAMBIL HOUSE ', KODIMATHA, KOTTAYAM DISTRICT.**

BY GOVT. PLEADER SMT. DEEPA K.R.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.13003/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE CERTIFICATE OF REGISTRATION.

EXT.P.2: COPY OF THE `FORM G' DTD. 07/04/2001.

EXT.P.3: COPY OF THE NOTICE ISSUED U/S 7 OF THE REVENE RECOVERY ACT.

EXT.P.3.A: COPY OF THE DEMAND PRIOR TO ATTACHMENT OF LAND.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH , J

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W.P.(C) NO. 13003 OF 2004

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Dated this the 10th day of August, 2007.

JUDGMENT

Petitioner approached this Court aggrieved by the recovery steps initiated in respect of motor vehicle tax for vehicle No. KRK 7065. According to the petitioner, he had sold vehicle in the year 2001 and there was also a 'G' form duly submitted on 07.04.2001. In the statement filed on behalf of respondents 1 to 3, it is submitted that the petitioner had not filed any 'G' form after 01.07.2001. It is also stated that the petitioner had not intimated the authorities regarding the sale of the vehicle. The registration certificate and permit also were not surrendered. Still further, it is stated that going by the report of the Assistant Motor Vehicle Inspector, the vehicle had not been dismantled. It is also seen that the petitioner had approached this Court earlier leading to judgment in O.P. No. 11408/2003 wherein this Court had permitted the petitioner to remit the dues in monthly instalments. If that be so, this writ petition is an abuse of process. The writ petition is accordingly dismissed however making it clear that in case there is any factual dispute on the facts as stated in the statement, it will be open to the petitioner to approach the Government.

KURIAN JOSEPH, JUDGE.

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